REMARKS

Claim Status

There were 18 claims in the original application, numbered 1-18. There are now 16 claims numbered 1-11, 14-16, and 19-20. Claims 1, 9, 14, 19, and 20 are the independent claims.

Amendment to Claims

The claims have been amended to more distinctly define elements of the invention.

Claim Rejections under 35 USC 102

Claims 1-11, 14-16, and 19-20 have been finally rejected under 35 USC 102 as being anticipated by Koetke (2004/0098478). Applicant traverses this rejection. Examiner is requested to reconsider the final rejection, withdrawal of which is respectfully requested.

The Koetke Publication is not an anticipatory reference under 35 USC 102. In order to reject under 35 USC 102, the reference must teach every element of the invention without modification.

The following is claim 1, which is also representative of corresponding independent claim 19. The underlined portions are not disclosed or taught by Koetke.

> 1. A system for electronic supply chain management and collaborative planning, including
> a plurality of hubs, remotely coupled to each other;
> a set of information stored in a database coupled to each said hub, wherein said set of information is owned by business entities relatively proximate to each said hub;
> a set of regional authorities controlling access to said set of information;
> a computer program coupled to each said hub that distinguishes between simple tasks and complex tasks;
> a server coupled to at least one of said hubs, wherein said server is dedicated to performing simple tasks; and
>
> a server coupled to at least one of said hubs, wherein
>
> said server is dedicated to performing complex tasks.

Since Koetke does not teach the five underlined elements in claims 1 and 19, it is not an anticipatory reference under 35 USC 102.

In applying the teaching of Koetke to the claims, Examiner first cites paragraphs 32 and 33 in the publication as teaching elements of the claims. Even if these sections in Koetke could arguably be said to disclose remotely coupled hubs having servers and clients, it fails to disclose information in a database coupled to each hub which

is owned by business entities each relatively proximate to each hub.

However, of even greater significance, Koetke completely fails to disclose a computer program coupled to each hub that distinguishes between simple tasks and complex tasks. Examiner has to cited the "lightweight performance data context identifiers" (paragraph 49) for teaching this element. However, when this paragraph is read together with cited paragraph 158 in Koetke, it is clear that the terminology lightweight identifier, is just descriptive of a short identifier (2 bytes) which Koetke uses to identify an element of a requested performance data block or package used for performance monitoring.

In this connection, it should be noted that the process of Koetke relates to the provision of performance data resulting from the monitoring of client server communications. In carrying out this function, Koetke stores such performance data, and transmits this data in a performance report module to users when requested. Paragraph 49 in Koetke clearly indicates that the term lightweight is used to indicate an identifier of an element in the performance report which is short and easy to interpret. Lightweight, as used in Koetke has nothing to do with simple tasks.

Koetke, further, fails to disclose Applicants' claimed server dedicated to performing simple tasks and a server dedicated to performing complex tasks associated with a lest one of the hubs. Paragraph 158 in Koetke relied on by Examiner in the Final Rejection states:

> "...guidSession is the globally unique identifier (GUID) of the client server communications session and wSessionID is a lightweight (i.e. 2 byte) client server communications session identifier associated with the heavyweight (e.g.16 byte) guidSesson."

This statement in Koetke deals with sessions which Koetke is monitoring. The term "lightweight" is used here to describe the amount of data needed to specify the identifier of a session as distinguished from "heavyweight" which is used to specify the amount of data needed to describe the whole session itself. The terms lightweight and heavyweight in Koetke are not used to define tasks. Thus Koetke does not disclose the claimed distinguishing of simple from complex tasks.

Also, there is no mention in Koetke of the claimed two servers, one of which is dedicated to the performance of the

simple tasks, and the other dedicated to the performance of the complex tasks.

Accordingly, Applicants submit that there is no justification for considering Koetke as teaching without modification of every element of the claimed invention as required under 35 USC 102. Thus, independent claims 1 and 19 and their dependent claims 2-8 are patentable over Koetke.

Likewise, claims 9-11, and 14-16 are patentable over Koetke which is not an anticipatory reference under 35 USC 102. The following is claim 9, which is also representative of corresponding independent claim 14. The underlined portions are not disclosed or taught by Koetke.

> 9. A method for processing transactions at a hub, including steps of
> receiving messages from a user;
> parsing said message and determining the relative complexity of tasks associated with said message;
> separating messages that require processing from those messages that do not require processing;
> sending a message requiring processing to a heavyweight server, wherein said message requiring processing is processed and sent to a user; and
>
> sending a message not requiring processing to a lightweight server, wherein said message not requiring processing is sent to a user.

In trying to apply Koetke to claim 9, here again, Examiner applies the same general group of citations to each of the elements in the claim. With respect to this general teaching of Koetke, it may be arguably noted that somewhere in the reference there may be a suggestion of parsing messages according to complexity. However, as set forth hereinabove with respect to claim 1, there is no teaching in Koetke of two different servers, one for heavyweight tasks and one for lightweight tasks.

As established hereinabove, the terms lightweight and heavyweight as used in Koetke do not relate to size or complexity of tasks but rather to the amounts of data used in Koetke respectively used to describe a session identifier as distinguished from the larger amount of data needed to describe the whole session itself.

Also, there is no mention in Koetke of a combination involving two servers for any purpose, and there is certainly no teaching of the claimed two servers, the heavyweight one for processing of messages requiring processing and the lightweight server for messages to be sent to a user without further processing.

Accordingly it is submitted that the teaching of Koetke is not a teaching of every element of the invention in claims 9 and 14 without modification as required by 35 USC

102. Thus, independent claims 9 and 14 and their respective dependent claims 10-11, and 15-16 are submitted to be over Koetke.

Likewise claim 20 is submitted to be patentable over Koetke which is not an anticipatory reference under 35 USC 102. The following is claim 20 with underlined portions which are not disclosed or taught by Koetke.

> 20. A system for electronic supply chain management and collaborative planning, including
> a plurality of remotely coupled hubs, each of said hubs each including a database;
> a set of regional authorities for controlling access to a set of information, said set of regional authorities dividing access control of said set of information among said set of designated regional authorities;
> a division of said set of information between said hubs stored in each said hub's database;
>
> a communication exchange between a first regional authority and a second regional authority, wherein said first regional authority requests instructions for obtaining data under the control of the second regional authority.

In trying to apply Koetke to claim 20, once again, Examiner applies the same general group of citations to each of the elements in the claim. With respect to the claimed "regional authorities controlling access to said set of information", Applicant has reviewed all of the combined Examiner citations in Koetke, and can not find such a teaching. Consequently, there is no teaching of these regional authorities respectively controlling information in

hub databases associated with the respective regional authorities. More particularly, there is no teaching of a first regional authority requesting instructions for obtaining data under the control of the second regional authority.

Thus, with respect to claim 20, the general group of citations broadly applied by Examiner fails to fulfill the requirement that a reference, in order to anticipate under 35 USC 102, must teach every element of the claim without modification.

CONCLUSION

In view of the foregoing, this Application, including claims 1-11, 14-16, 19-20, is submitted to be in condition for allowance, and Examiner is respectfully requested to reconsider the Final Rejection, and allow this Application.

To discuss any matter pertaining to the present Application, Examiner is invited to call the undersigned attorney at (650) 947-0700.

Respectfully submitted

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